

**United States District Court
for the
Eastern District of Washington**

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

SEAN F. McAVOY, CLERK

Petition for Warrant or Summons for Offender Under Supervision

Name of Offender: Lawrence David Pogue

Case Number: 0980 2:16CR00034-WFN-3

Address of Offender:

Name of Sentencing Judicial Officer: The Honorable Wm. Fremming Nielsen, Senior U.S. District Judge

Date of Original Sentence: December 14, 2016

Original Offense: Possession with Intent to Distribute 50 grams or More of Methamphetamine, 21 U.S.C. § 841(a)(1) and (b)(1)(B)(viii)

Original Sentence: Prison - 60 months
 TSR - 60 months

Type of Supervision: Supervised Release

Asst. U.S. Attorney: Caitlin A. Baunsgard Date Supervision Commenced: July 15, 2019

Defense Attorney: Federal Defenders Office Date Supervision Expires: July 14, 2024

PETITIONING THE COURT

To issue a warrant and to incorporate the violation(s) contained in this petition in future proceedings with the violation(s) previously reported to the Court on 05/05/2021 and 05/13/2021.

The probation officer believes that the offender has violated the following condition(s) of supervision:

<u>Violation Number</u>	<u>Nature of Noncompliance</u>
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5 **Special Condition # 3:** You shall abstain from the use of illegal controlled substances, and shall submit to urinalysis and sweat patch testing, as directed by the supervising officer, but no more than 6 tests per month, in order to confirm continued abstinence from these substances.

Supporting Evidence: It is alleged that Mr. Pogue violated his conditions of supervision by failing to appear for urinalysis testing on May 14, 2021.

On July 15, 2019, supervision commenced in this matter. On July 17, 2019, Mr. Pogue reported to the U.S. Probation Office for an intake. He signed his judgment relative to case number 2:16CR00034-WFN-3, acknowledging an understanding of his mandatory, standard, and special conditions of supervision.

On May 14, 2021, the color of the day for urinalysis testing at Pioneer Human Services was brown, Mr. Pogue's assigned color for urinalysis testing. Mr. Pogue failed to appear as directed.

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Special Condition # 3: You shall abstain from the use of illegal controlled substances, and shall submit to urinalysis and sweat patch testing, as directed by the supervising officer, but no more than 6 tests per month, in order to confirm continued abstinence from these substances.

Supporting Evidence: It is alleged that Mr. Pogue violated his conditions of supervision by using methamphetamine on May 16, 2021.

On July 15, 2019, supervision commenced in this matter. On July 17, 2019, Mr. Pogue reported to the U.S. Probation Office for an intake. He signed his judgment relative to case number 2:16CR00034-WFN-3, acknowledging an understanding of his mandatory, standard, and special conditions of supervision.

On May 20, 2021, Mr. Pogue reported to the probation office as directed to collect a urine sample. Mr. Pogue admitted to the use of methamphetamine on May 16, 2021, and signed a drug use admission form.

The U.S. Probation Office respectfully recommends the Court to incorporate the violation(s) contained in this petition in future proceedings with the violation(s) previously reported to the Court, and that the Court issue a warrant.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: 05/20/2021

s/Corey M. McCain

Corey M. McCain
U.S. Probation Officer

THE COURT ORDERS

- No Action
- The Issuance of a Warrant
- The Issuance of a Summons
- The incorporation of the violation(s) contained in this petition with the other violations pending before the Court.
- Defendant to appear before the Judge assigned to the case.
- Defendant to appear before the Magistrate Judge.
- Other



Signature of Judicial Officer

5/21/2021

Date